

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 18-10598-GAO

MILDRED O'LEARY,
Plaintiff,

v.

HRI HOSPITAL, INC. d/b/a ARBOUR HRI HOSPITAL,
Defendant.

ORDER
July 20, 2020

O'TOOLE, S.D.J.

HRI Hospital, Inc. d/b/a Arbour HRI Hospital (“Arbour”) has submitted an application for attorneys’ fees pursuant to Federal Rules of Civil Procedure 37(a)(5)(A) and as directed by this Court’s October 21, 2019 Order (dkt. no. 31), which granted Arbour’s Motion to Compel Discovery Responses (dkt. no. 30). The defendant has now moved for contempt and sanctions against the plaintiff pursuant to Federal Rules of Civil Procedure 37(b)(2) and Local Rule 37.1 for her failure to supplement her discovery responses as required by the October 21, 2019 Order. The plaintiff opposes the defendant’s application for attorneys’ fees and motion for contempt and sanctions.

The defendant’s Motion for Contempt and Sanctions (dkt. no. 34) is GRANTED insofar as plaintiff shall produce all responsive documents and provide supplemental information in response to interrogatories by August 13, 2020 as set forth herein. No document in the following categories that has not been produced in discovery will be admissible in evidence at trial:

The plaintiff shall supplement Interrogatory No. 4 with witness addresses, No. 5 with specific information concerning her employers, dates of employment and the reasons for

termination of that employment, and No. 15 with specific information concerning the calculation of her economic and emotional distress damages.

The plaintiff shall produce any responsive documents that were not produced in connection with the December 30, 2019 emails, including any remaining tax documents in response to Document Request No. 1 and responsive documents regarding her past income in response to Document Request No. 2. The plaintiff shall also identify where, within her existing document production, documents that are responsive to Document Request Nos. 28–30, 32, 35, 37–40 and 42 are located. Additionally, the plaintiff shall produce any remaining responsive documents of her medical and psychiatric records. If the plaintiff has no further documents in response to Document Requests Nos. 4–7, 10–11, 12, 14, 25–26, 28–30, 32, 35–40 and 42, she must affirmatively state that.

The defendant's Application for Attorney's fees (dkt. no. 32) is GRANTED, and the plaintiff is ordered to pay to defendant the sum of \$1,046.93.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
Senior United States District Judge